



The Corner Store and Parking No More

October 8, 2025

APA Washington Conference

Panel



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Objectives

1. **Professional relevance:** Support senior planners and planning managers in keeping up with rapidly evolving state law, communicating the implications of mandates to elected officials and community members, and translating state law into local code.
2. **Training objective:** Anticipate and react to rapid and varied changes in state law to ensure their local jurisdiction is legally compliant and remains eligible for certain types of state funding.
3. **Specific training objectives:**
 - a. Understand the latest GMA updates
 - b. Hear lessons and potential best practices based on the experience of multiple communities across the state
 - c. How to anticipate and potentially work with elected officials to best shape future legislation.

Powers of Local Government

- **Dillon's Rule** and **Home Rule** are two different approaches to local governance implemented by state constitutions, statutes, and court decisions
 - **Dillon's Rule:** Narrow approach; local governments only have the powers expressly granted to them by the state
 - **Home Rule:** Broad approach; local governments have great autonomy and states have limited power to interfere in local affairs
- Typically one approach is dominant, but some states employ a mix
- Washington is a Home Rule state, but its authority to implement land use regulations is limited by statute, including the Growth Management Act
- *State preemption* is the invalidation of some action by, or the wresting of power from, a local government by the state legislature.

Housing Needs vs. Local Control

Washington state will need more than 1 million homes in next 20 years

March 2, 2023



More than half of the homes are needed for residents at the lowest income levels

OLYMPIA, WA — The Washington State Department of Commerce today released its final housing needs projections, which show the state needs to add 1.1 million homes over the next 20 years, and more than half of them need to be affordable for residents at the lowest income levels. Based on census data and the [Office of Financial Management's population projections](#), these [final housing projections](#) (.pdf) illustrate that Washington needs more than 50,000 new units annually to keep pace with expected population growth.

Future housing needs broken down by area median income (AMI) groups



Mayor backs off affordability recommendation for Seattle single-family zones

Posted on [Wednesday, July 29, 2015 - 2:41 PM](#) by [jseattle](#)

Backing down from slow growth opposition and in a nod to a wave of [bungalow nostalgia](#), Mayor Ed Murray announced Wednesday afternoon he will not support one of the most controversial — and possibly widely impactful — elements of the [60+ recommendations](#) from his Housing Affordability and Livability Agenda Committee.



Murray said Wednesday he will not support the recommendation that could have opened 94% of single-family zones in Seattle to more multi-family style development to help offset soaring rents.

Kenmore's canceled affordable housing project draws sharp criticism

Jan. 31, 2024 at 10:00 am Updated Jan. 31, 2024 at 11:00 am

10–13 minutes

PROJECT HOMELESS

The Seattle Times' [Project Homeless](#) is supported by Campion Foundation, Raikes Foundation and Seattle Foundation. The Seattle Times maintains editorial control over Project Homeless content.

More than a year ago, the city of Kenmore made a choice to invest in affordable housing — even setting aside land and millions of dollars to make it happen — but when constituents showed up in force to fight the project, city leaders bent to the pressure.

[seattletimes.com](#)

King County cities look to loopholes in state law that says they can't ban homeless shelters

Aug. 21, 2023 at 6:00 am Updated Aug. 21, 2023 at 6:00 am

8–11 minutes

In 2021, the Washington Legislature passed a law that attempted to stop cities from banning homelessness facilities.

Yet last month, Des Moines fined the city's only existing homeless shelter and asked it to shut down. Earlier this year, Federal Way denied a permit for a fully funded shelter.

The Trickle...

CERTIFICATION OF ENROLLMENT

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1923

Chapter 348, Laws of 2019

66th Legislature
2019 Regular Session

URBAN RESIDENTIAL BUILDING CAPACITY

EFFECTIVE DATE: July 28, 2019—Except for section 11, which becomes effective July 1, 2019.

Passed by the House April 24, 2019
Yeas 75 Nays 19

FRANK CHOPP
Speaker of the House of Representatives

Passed by the Senate April 22, 2019
Yeas 33 Nays 16

CYRUS HABIB
President of the Senate

Approved May 9, 2019 3:12 PM

JAY INSLEE
Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1923 as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN
Chief Clerk

FILED
May 13, 2019

Secretary of State
State of Washington

...Becomes a Flood

| Year | Bill | Topic | Applies to... | Adoption deadline |
|------|-------------------------|--|---|--|
| 2025 | SB 5148 | Housing Accountability Act | Fully planning cities and counites | N/A; new criteria for periodic updates of comprehensive plans |
| 2023 | SB 5290 | Local permit review | Fully planning cities and counites | Various; between 2025 and next periodic update after Jan. 2026 |
| 2024 | SB 6015 | Residential parking standards | Fully planning cities and counites | At next periodic update deadline |
| 2023 | HB 1110 | Middle housing (trailer HB 2321) | Subset of fully planning cities | 6 months after next periodic update deadline |
| 2023 | HB 1337 | Accessory dwelling units | Fully planning cities and counites | 6 months after next periodic update deadline |
| 2023 | HB 1293 | Clear and objective design review | Fully planning cities and counites | 6 months after next periodic update deadline |
| 2023 | SB 5258 | Proportional impact fees | Fully planning cities and counites | 6 months after next periodic update deadline |
| 2025 | HB 1183 | Miscellaneous development regulations | Fully planning cities and counites | The sooner of 6 months after next periodic update deadline or 6 months after next implementation report deadline |
| 2024 | HB 1998 | Co-living housing | Fully planning cities and counites | December 2025 |
| 2025 | HB 1576 | Historical landmarking | Fully planning cities | July 2026 |
| 2025 | HB 1096 | Lot splitting | Fully planning cities | Generally, July 2027 |
| 2025 | SB 5509 | Child care siting | All cities and towns | Generally, July 2027 |
| 2023 | SB 5258 | Unit lot subdivisions (trailer SB 5559) | Fully planning cities and counites | Generally, July 2027 |
| 2025 | SB 5184 | Unit lot subdivisions | Fully planning cities and counties over 30,000 population | January 2027 or July 2028, depending on being below or above 50,000 population |

See more with the Washington State Department of Commerce 2019-2025 housing law tracker:
<https://deptoocommerce.app.box.com/s/jfd6j7vsgpiotketm4c09eekocovd4lc>

Example: GMA Parking Reform (SB 5184)

Applicable to fully planning cities and counties over 30,000 population

| <u>Cities 30k-50k</u> | <u>Cities over 50k:</u> | | <u>Counties over 50k:</u> | |
|-----------------------|-------------------------|----------------|---------------------------|--------------------------|
| Bothell | Auburn | Pasco | Benton County | Snohomish County |
| Bremerton | Bellevue | Redmond | Chelan County | Spokane County |
| Des Moines | Bellingham | Renton | Clallam County | Thurston County |
| Edmonds | Burien* | Richland | Clark County | Walla Walla County |
| Issaquah | Everett | Sammamish | Franklin County | Whatcom County |
| Lake Stevens | Federal Way | Seattle | Grant County | Yakima County |
| Lynnwood | Kennewick | Shoreline | Island County | |
| Mount Vernon | Kent | Spokane | King County | <u>Counties 30k-50k:</u> |
| Puyallup | Kirkland | Spokane Valley | Kitsap County | Douglas County |
| SeaTac* | Lacey | Tacoma | Lewis County | Jefferson County |
| University Place | Lakewood | Vancouver | Mason County | Kittitas County |
| Walla Walla | Marysville | Yakima | Pierce County | Stevens County |
| Wenatchee | Olympia | | Skagit County | |

**Except for portions of cities and counties within a one-mile radius of a commercial airport in Washington with at least 9 million annual enplanements*

Example: GMA Parking Reform (SB 5184)

Typical minimum parking tables for key uses:

| | Use | Minimum Parking Spaces Required |
|-------------|--|---------------------------------|
| Residential | Dwelling unit less than 1,200 square feet | 0 |
| | Dwelling unit 1,200 square feet or larger | 0.5 spaces |
| | Affordable housing (as defined by RCW 36.70A.030) | 0 |
| | Senior housing | 0 |
| | Buildings built with passive house requirements, modular construction, or mass timber construction (HB 1183) | 0 |
| | Change of use from a nonresidential use to a residential use | 0 |
| Commercial | Child care center | 0 |
| | Commercial space on the ground level of a mixed-use building | 0 |
| | Commercial space less than 3,000 square feet | 0 |
| | Commercial space 3,000 square feet or larger | 2 spaces per 1,000 square feet |
| | Change of use between commercial uses | 0 |

SB 5184 Implementation Questions

- **Commercial use** is defined as: “nonresidential business purposes, including retail, office, wholesale, general merchandise, and food services”
- This does not have the typical “including but not limited to”, so is it all businesses or does that mean these are excluded?
 - Personal services
 - Auto-oriented services, like repair shops and dealerships
 - Hotels and lodging
 - Recreational uses, like arcades, theatres, pools, gyms, sports facilities
 - Medical uses, like medical offices and hospitals
- Bill mostly uses “commercial space” instead of “commercial use”; is this a loophole?
- Seems clear that industrial, government/civic/public, and nonprofit-based uses are excluded and can still have minimum parking required

Neighborhood Commercial Legislation

- 2024: [HB 2252](#)
- 2025: [HB 1175](#)
- Both attempts would apply to all cities and towns, not just to GMA-planning jurisdictions



NEIGHBORHOOD COMMERCIAL FACT SHEET | JANUARY 2025

Neighborhood Commercial

Return of the Corner Store

Across Washington, cities, towns, and counties are exploring the reintroduction of small-scale neighborhood commercial uses like cafes and neighborhood grocery stores into residential neighborhoods after decades of land use segregation. Neighborhood commercial uses are primarily neighborhood-serving businesses that provide limited retail goods and services for nearby residential customers. Communities look to many potential benefits of accommodating these uses within residential neighborhoods:

- Help people meet their daily needs for goods and services without relying as much on driving, which can improve public health, air and water quality, and traffic congestion.
- Increase the local tax base.
- Encourage local entrepreneurship above the scale of a home-based business and below the cost of renting a large commercial property.
- Increase employment opportunities.
- Improve access to fresh food.
- Provides residential neighborhoods a sense of place and community ownership.

Permitting neighborhood commercial uses goes hand-in-hand with increased allowances for residential density. Recent legislation requires many Washington jurisdictions to zone for middle housing and accessory dwelling units in traditionally low-density, single-family zoned neighborhoods. These neighborhoods will incrementally

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GROWTH MANAGEMENT
SERVICES

Risk of Non-Compliance

- The governor has the authority to impose sanctions on local governments that do not comply with the GMA, as determined by the Growth Management Hearings Board (GMHB). Sanctions may include withholding or temporarily rescinding the authority to collect portions of certain taxes.
- 2025 [Housing Accountability Act](#): a) requires Commerce approval of housing elements; b) implements a “builder’s remedy” for affordable housing during periods of non-compliance; and c) affects eligibility for certain infrastructure funding
- Recent GMHB rulings have potential implications for accommodating (and funding?) affordable housing
- Jurisdictions have time to correct compliance problems

More info from the Municipal Research and Services Center and Department of Commerce:

<https://mrsc.org/explore-topics/planning/gma/growth-management-act-basics>; <https://www.commerce.wa.gov/growth-management/>

Futurewise et al. v. City of Mercer Island

[GMHB Case 25-3-0003](#) final decision and order:

*The Board concludes...the City failed to identify sufficient land capacity for permanent housing for extremely low, very low, low, and moderate-income households. The City's land capacity analysis assumed subsidies and incentives would be in place for these households within the City's medium to high density zoning categories, **but the record does not show that sufficient subsidies and incentives will be in place to house the City's full allocation of these households. The City may not delay making adequate provision for the needs of these economic segments for another five years; it was required to do so now.***

*The City also did not adopt anti-displacement measures when it added development capacity in the Town Center. While these failures are a serious matter, affecting not only the City but the entire region, the Board recognizes the City may need significant time and effort to address such complex issues. **The Board affords the City a full year to achieve compliance with the Growth Management Act and does not, at least at this stage, enter an order of invalidity.***

Kitsap Alliance of Property Owners et al. v. Kitsap County

[GMHB Case 25-3-0005c](#) final decision and order:

*Petitioners challenged Kitsap County's 2024 periodic update of its Comprehensive Plan and development regulations. **The Board concluded that the County's land use element failed to identify sufficient capacity of land for housing for all income groups and make adequate provisions for the existing and projected needs of all economic segments of the community, specifically those at the low, very low, extremely low, and moderate-income levels.** The Board also concluded that the land use element failed to include mandatory elements, such as identification of multimodal emergency and evacuation routes, or include certain planning tools as required. The matter was remanded to the County to address these issues.*

Getting Involved in State Government

- Follow your jurisdiction's legislative agenda updates ([AWC guidance](#))
- Volunteer with the [APA WA Legislative Committee](#) or sign up for email bulletins
- The Legislature's [website](#) and remote options to [testify](#) have greatly improved in recent years
- “Subscribe” to bills to track public hearings and amendments
- Contact your state electeds ([“find your legislator”](#)) and committee leaders ([roster](#))



Schedule of the part-time Legislature:

- Annual sessions begin the second Monday of January
- Odd years are long: 105 days through April
- Even years are short: 60 days through March

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Or use QR code



PLAN **SPOKANE**

Resilient | Connected | Livable | 2046

- Spokane 2025 population 234,700
- Spokane County 566,000
- Periodic Update 2026
PlanSpokane.org

- Gonzaga University
- UW/GU Medical School
- Eastern WA University
- WSU Spokane



City of Spokane – Interim/Moratorium

| Project | Interim/Moratorium | State Law |
|--|---|--------------------------------|
| Building Opportunity & Housing for All (BOCA) – Middle Housing in all zones | Interim Ordinance Passed in July 2022, extended to December 2023 (ORD C36481) when Comp Plan Policies and new code adopted (Building Opportunity for Housing)(BOH) | HB 1110 (2023) |
| No Parking Required for Residential Development (Interim) No Minimum Parking (all uses) (not interim) | Interim ORD C36405, July 2023 (1 year) eliminated parking for residential use. Followed by ORD C36556 July 2024, eliminate all parking minimums (still have maximums by use) | Several GMA reforms of parking |
| Elimination of Building Heights in Downtown | 2024, extended another 6 months in September 2025 (ORD C36749), anticipated to be included in Periodic Update 2026 | Local preference |
| Off-premise alcohol sales Prohibits off-premises alcohol outlets within 500 feet of parks, schools, libraries... | Interim Ordinance, 2025 (ORD C36680) | Local preference |
| Child Care - make use permitted in all zones w/out Conditional Use | Interim Ordinance 2025 | SB 5509(2025) |
| Latah Valley Moratorium – moratorium on subdivision applications in several SW Spokane neighborhoods | Moratorium ORD C36522 (passed in June 2024, expired June 2025) | Local preference |

Spokane - Current Work Items

Plan Spokane 2046 (Dec. 2026)

- Climate Planning
- Critical Areas Ordinances

Subarea Plans Underway

- **East Central / 5th Avenue** Planning
- **Hillyard Plan** with Northeast Development Authority
- **Division Street Transit Oriented Development**
(with Spokane Transit Authority and Spokane County)

Co-Living Code Changes (Dec. 2025)

Development Code Update

Simplify code, speed permits, periodic update, catch all state changes (2026-2027), new TOD RCW 36.70A.840



City of Bellingham



2025 population: 98,340

Significant university presence

2025 Comprehensive Plan Periodic Update Cycle



4th Highest Home Price-to-Income in Nation

| Rank | City | Home price-to-income ratio | Median home price | Median household income | 5-year change in median home price |
|------|-------------------|----------------------------|-------------------|-------------------------|------------------------------------|
| 1 | Glendale, CA | 14.8 | \$1,206,870 | \$81,365 | +43.2% |
| 2 | Irvine, CA | 12.4 | \$1,585,096 | \$127,989 | +81.8% |
| 3 | Los Angeles, CA | 12.2 | \$973,393 | \$79,701 | +34.1% |
| 4 | Bellingham, WA | 12.0 | \$657,604 | \$54,867 | +45.8% |
| 5 | Alhambra, CA | 11.8 | \$937,443 | \$79,637 | +35.6% |
| 6 | Sunnyvale, CA | 11.5 | \$2,170,513 | \$189,443 | +36.1% |
| 7 | Mountain View, CA | 11.5 | \$2,082,153 | \$181,671 | +23.5% |

<https://constructioncoverage.com/research/cities-with-highest-home-price-to-income-ratios>

Integrating Legislation: Interim Ordinances

| Workplan Approach | Workplan Timeline | Most Relevant Legislation | Legislative Deadline |
|--|--------------------------------------|--|---|
| Interim Middle Housing Ordinance | Adopted May 2025 | HB 1110 (2023) | June 2026 (originally) |
| Updated Interim Middle Housing Ordinance (including design review) | Adopt by Dec 2025 | SB 5558 (2025) HB 1110 (2023) HB 1293 (2023) | Dec 2025 (updated deadline for other bills) |
| Interim Design Review (Multifamily) | Adopt by Dec 2025 | SB 5558 (2025) HB 1293 (2023) | Dec 2025 (updated deadline) |
| Interim Parking Reform Ordinance | Adopted Jan 2025; Extend Dec 2025 | SB 5184 (2025) | Jan 2027 |

Integrating Legislation: Code Updates

| Workplan Approach | Workplan Timeline | Most Relevant Legislation | Legislative Deadline |
|-----------------------------------|--------------------|---|---|
| Permanent Parking Reform | Adopt by Jun 2026 | SB 5184 (2025) | Jan 2027 |
| ADU Code Updates | Adopted Aug 2023 | HB 1337 (2023) | June 2026 (originally) |
| ADU Code Updates (part II) | Update by Dec 2025 | SB 5558 (2025) HB 1337 (2023) HB 1110 (2023) | Dec 2025 (updated deadline for other bills) |
| Co-living Housing Code Update | Adopt by Dec 2025 | HB 1998 (2024) | Dec 2025 |
| Impact Fee Updates | Adopt by Jun 2026 | SB 5258 (2023) | Jun 2025 |
| Streamlining Use Tables | Throughout 2026 | SB 5509 (2025) | July 2027 |
| Permanent Residential Code Update | Update by Dec 2026 | HB 1110 (2023) HB 1293 (2023) SB 5258 (2023) HB 1096 (2025) HB 1175 (future?) | Dec 2025 (interims cover in 2026) |

Legal Considerations - What Has Changed?

- Cities now required to address affordable housing in Comprehensive Plans – HB 1220
- Cities must stream permitting timelines – SB 5290
- Cities must permit accessory dwelling units on all lots where single-family homes are permitted – HB 1337
- (Some) cities must permit “middle housing” types and demand established minimum densities on all lots within primarily residential zones – HB 1110
- Lot splitting – HB 1096

Why is the Legislature Doing This?

- Responding to the statewide housing crisis
- Moving away from deference and flexibility for local governments and officials and providing prescriptive requirements to address the housing crisis
 - “Plan for and accommodate” affordable housing - RCW 36.70A.020(4)
 - Minimum densities on all lots predominately zoned for residential use - RCW 36.70A.635
 - Two Accessory Dwelling Units - RCW 36.70A.681

Legal Considerations

- Rapid evolution in GMA is creating some obstacles, uncertainty, and risks for local government
- Local interpretations are sometimes needed
- Without legislative fixes, lawsuits may be inevitable to resolve some conflicts
- Specific examples:
 - Middle housing and accessory dwelling unit conflicts (HB 1110 and 1337)
 - What is a “dwelling unit” and a “residence”?
 - What is an “accessory dwelling unit”?
 - What is “commercial”?
 - What is “density”?

Interim Ordinances

- Same RCW as moratoriums ([36.70A.390](#))
- Meant to establish emergency or temporary zoning while still accepting applications during development of permanent code changes
- Interim ordinances go straight to city council / county commission, bypassing the planning commission and public input requirements
- Public hearing must be held within 60 days of passage
- May be effective 6 months, or 12 months with a work plan
- Can be renewed for 6-month periods with additional public hearings

Panel Questions

Tell us more about how your jurisdictions are using interim ordinances and why you have selected that approach. What are the pros and cons to be aware of?

Panel Questions

How are your jurisdictions managing staff workloads with the current volume of required changes? Are you focusing on one requirement at a time, or doing larger code rewrites?

How is your code work being integrated with your comprehensive planning work?

Panel Questions

How are applicants, elected officials, and the general public reacting to these changes? Are they up to speed?

Panel Questions

How are you approaching the new uncertainties around definitions of terms like “dwelling”, “accessory”, “density”, and “commercial”?

Panel Questions

What help do you need from the Department of Commerce?

Panel Questions

What advice would you give to the Legislature – either generally in future sessions, or in reaction to recent specific bills?